

+2022 Regular Session

HOUSE BILL NO. 620

BY REPRESENTATIVE STEFANSKI

GAMBLING/CHARITABLE: Provides relative to the authority of private nonprofit elementary or secondary schools and public elementary or secondary schools to conduct certain games of chance

1 AN ACT

2 To amend and reenact R.S. 4:707(D), (E), and (F)(2), relative to charitable raffles, bingo,
3 and keno; to provide relative to licensing and reporting requirements; to authorize
4 private nonprofit elementary or secondary schools and public elementary or
5 secondary schools to conduct certain games of chance; to provide for definitions; to
6 exempt such schools from licensing and reporting requirements; and to provide for
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 4:707(D), (E), and (F)(2) are hereby amended and reenacted to read
10 as follows:

11 §707. Authorization to license certain organizations; exemption; requirement for
12 state license

13 * * *

14 D.(1) In addition to the authority granted in Subsection A of this Section, the
15 office may license the following organizations, as defined herein, to hold and operate
16 the specific kind of game or games of chance enumerated in Subsection A of this
17 Section without the requirement that any such organization qualify with the Internal
18 Revenue Service for an exemption from federal income tax as specified by R.S.
19 4:703(1): Mardi Gras carnival organizations, civic or service associations, qualified

1 associations of licensed charitable organizations, volunteer fire companies, booster
2 clubs, parent-teacher associations, private nonprofit elementary or secondary
3 schools, public elementary or secondary schools, and public institutions of higher
4 education.

5 (2) In addition to the authority granted in Subsection B of this Section, the
6 governing authority of any parish or municipality may license the following
7 organizations, as defined herein, to hold and operate the specific kind of game or
8 games of chance enumerated in Subsection B of this Section without the requirement
9 that any such organization qualify with the Internal Revenue Service for an
10 exemption from federal income tax as specified by R.S. 4:703(1): Mardi Gras
11 carnival organizations, civic or service associations, qualified associations of
12 licensed charitable organizations, volunteer fire companies, booster clubs, parent-
13 teacher associations, private nonprofit elementary or secondary schools, public
14 elementary or secondary schools, and public institutions of higher education.

15 E. In addition to the provisions of R.S. 4:703, the following definitions shall
16 apply for the purposes of this Section:

17 (1) "Booster club" shall mean an organization which promotes and supports
18 the activities, functions, or programs of a public or a private nonprofit elementary or
19 secondary school in this state and which has been designated by the school board of
20 the parish or city in which such school is located to collect funds in the name of that
21 school.

22 (2) "Civic or service association" shall mean an organization domiciled in
23 this state which is operated for the purpose of promoting the social welfare or
24 providing service to the community and which has derived five thousand dollars or
25 less in gross receipts from its charitable games of chance during the prior calendar
26 year.

27 (3) "Mardi Gras carnival organization" shall mean an organization domiciled
28 in this state which presents pre-Lenten festivities, including street parades, and which
29 has received a permit to parade from a municipal or parish governing authority.

1 (4) "Parent-teacher association" shall mean an organization which is
2 comprised of teachers and parents of children enrolled in a public or a private
3 nonprofit elementary or secondary school in this state and which has been designated
4 by the school board of the parish or city in which such school is located to collect
5 funds in the name of that school.

6 (5) "Private nonprofit elementary or secondary school" includes every
7 nonprofit private elementary or secondary school within the state of Louisiana.

8 (6) "Public elementary or secondary school" includes every public
9 elementary or secondary school within the state of Louisiana.

10 ~~(5)~~(7) "Public institution of higher education" includes every in-state public
11 graduate and undergraduate institution, public junior and community college, public
12 technical institute, and each separate school or department of the institution, college,
13 or institute when the entire net proceeds are devoted to support the institution.

14 ~~(6)~~(8) "Volunteer fire company" shall mean an organization which has been
15 engaged by the governing authority of a parish, municipality, or fire protection
16 district to provide fire protection services to the area of this state under its
17 jurisdiction and which is comprised predominantly of individuals who provide such
18 services voluntarily and without compensation.

19 F.

20 * * *

21 (2)(a) Any club, organization, group, or association which has a membership
22 comprised exclusively of children enrolled in a public or private nonprofit
23 elementary or secondary school in this state and which is approved to conduct
24 activities in such school by the principal of such school in accordance with school
25 board policy shall be exempt from the licensing and reporting procedures
26 enumerated in R.S. 4:708 through 716 of this Chapter in a municipality or parish
27 whose governing authority has decided to permit raffles, bingo, and keno within its
28 limits as provided in R.S. 4:706. Such club, organization, group, or association shall

1 be exempted from licensing and reporting procedures only for the conducting of
2 raffles as a means of fund-raising.

3 (b) A private nonprofit elementary or secondary school and any public
4 elementary or secondary school in this state shall be exempt from the licensing and
5 reporting procedures enumerated in R.S. 4:708 through 716 of this Chapter in any
6 municipality or parish whose governing authority has decided to permit raffles,
7 bingo, and keno within its limits as provided in R.S. 4:706. Such private nonprofit
8 school or public school shall be exempted from licensing or reporting procedures
9 only for the conducting of raffles as a means of fund-raising.

10 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 620 Reengrossed 2022 Regular Session Stefanski

Abstract: Authorizes private nonprofit elementary or secondary schools and public elementary or secondary schools to hold and operate certain games of chance and provides relative to licensing requirements.

Present law provides that the office of charitable gaming may license charitable organizations to hold and operate certain games of chance.

Proposed law adds private nonprofit elementary or secondary schools and public elementary or secondary schools to the list of organizations authorized to hold and operate certain games of chance.

Present law allows the office to license certain organizations to hold and operate certain games of chance without the organization having to qualify with the IRS for a federal income tax exemption.

Proposed law adds private nonprofit elementary or secondary schools and public elementary or secondary schools to present law.

Present law provides for definitions for the following terms: booster club, civic or service association, Mardi Gras carnival organization, parent-teacher association, public institution of higher education, and volunteer fire company.

Proposed law retains present law and provides for a definition for "private nonprofit elementary or secondary school" and "public elementary or secondary school".

Present law provides that any club, organization, group, or association which has a membership comprised exclusively of children enrolled in a public or private nonprofit elementary or secondary school and which is approved to conduct activities in such school by the principal of the school in accordance with school board policy shall be exempt from

the present law licensing and reporting procedures in a municipality or parish whose governing authority has decided to permit raffles, bingo, and keno within its limits. Further provides that such club, organization, group, or association shall be exempt from licensing and reporting procedures for the purpose of conducting raffles as a means of fund-raising.

Proposed law retains present law and provides that a private nonprofit elementary or secondary school and public elementary or secondary school in this state shall be exempt from licensing and reporting procedures in any municipality or parish whose governing authority has decided to permit raffles, bingo, and keno within its limits as provided in present law. Such private nonprofit school or public school shall be exempted from licensing or reporting procedures only for the conducting of raffles as a means of fund-raising.

(Amends R.S. 4:707(D), (E), and (F)(2))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Authorize public elementary or secondary schools to hold and operate certain games of chance.